

304.32-160 Forms and schedules of charges, filing and approval.

- (1) On or after June 18, 1970, no corporation subject to the provisions of this subtitle shall deliver or issue for delivery in this state any subscription certificate or membership certificate describing health benefits available, or any indorsement, rider, or application which becomes a part thereof, or the schedule of rates, dues, fees, or other periodic charges, to be paid by subscribers or members, until a copy of such form has been filed with and approved by the executive director.
- (2) At the expiration of thirty (30) days the form so filed shall be deemed approved unless prior thereto it has been affirmatively approved or disapproved by order of the executive director, or a hearing has been scheduled by order of the executive director. In the event that a hearing is held, the thirty (30) day waiting period shall begin anew after the close of such hearing. Approval of any such form by the executive director shall constitute a waiver of any unexpired portion of such waiting period. The executive director may extend by not more than an additional thirty (30) day period within which he may so affirmatively approve or disapprove any such form, by giving notice to the insurer of such extension before expiration of the initial thirty (30) day period. At the expiration of any such period as so extended, and in the absence of such prior affirmative approval or disapproval, any such form shall be deemed approved. The executive director may at any time withdraw any such approval. Any notice of the executive director withdrawing a previous approval shall state the grounds therefor and the particulars thereof in such detail as reasonable to inform the insurer thereof. Any such withdrawal of a previously approved form shall be effective at the expiration of such period, not less than thirty (30) days after the giving of the notice of withdrawal, as the executive director shall in such notice prescribe.
- (3) The executive director's order disapproving any form or withdrawing previous approval shall state the grounds for disapproval or withdrawal.
- (4) The executive director may, by order, exempt from the requirements of this section for so long as he deems proper, any document or form specified in the order, to which in his opinion this section may not practicably be applied, or the filing and approval of which are, in his opinion, not desirable or necessary for the protection of the public.

Effective: July 15, 1982

History: Amended 1982 Ky. Acts ch. 320, sec. 35, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 187, sec. 22, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 155, sec. 147, effective June 17, 1978. -- Created 1970 Ky. Acts ch. 301, subtit. 32, sec. 16, effective June 18, 1970.

Legislative Research Commission Note (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.